

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERNANIE LATORRE,

Plaintiff,

v.

RAYMUNDO CALARO, et al.,

Defendants.

No. 2:20-cv-00886-JAM-CKD PS

ORDER

(ECF No. 11)

On December 23, 2020, the magistrate judge filed findings and recommendations (ECF No. 11), which were served on plaintiff and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed.¹ Accordingly, the court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are

¹ It appears that plaintiff has not received any of the court's orders or communications in this case, as nearly every item mailed to plaintiff at the address provided to the court has been returned as undeliverable. (Dkt. Text 12/8/20, 12/21/20, 12/28/20.) Since the magistrate judge's findings and recommendations were issued, plaintiff has filed additional documents bearing the same mailing address on file with the court. (ECF Nos. 12-14.) None of these documents show compliance with the court's previous orders regarding service or show cause why the case should not be dismissed. As noted in the findings and recommendations, it is plaintiff's duty to keep the court apprised of her current mailing address. See E.D. Cal. R. 182(f) ("Absent such notice, service of documents at the prior address of the . . . pro se party shall be fully effective."). Accordingly, these additional filings support adoption of the recommendation that this case be dismissed with prejudice for failure to comply with the court's orders and local rules.

1 reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir.
2 1983).

3 The court has reviewed the applicable legal standards and, good cause appearing,
4 concludes that it is appropriate to adopt the findings and recommendations in full. Accordingly,
5 IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations (ECF No. 11) are ADOPTED IN FULL;
- 7 2. Plaintiff's claims are DISMISSED with prejudice pursuant to Federal Rule of Civil
8 Procedure 41(b); and
- 9 3. The Clerk of Court is directed to close this case.

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11 DATED: January 25, 2021

/s/ John A. Mendez

12 THE HONORABLE JOHN A. MENDEZ
13 UNITED STATES DISTRICT COURT JUDGE
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